

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT CHESTRA

Plaintiff,

v.

W. BRODIE, et al.,

Defendants.

2:24-cv-2376-CKD P

ORDER

Plaintiff Robert Chestra, a state prisoner, proceeds without counsel and has filed a civil right complaint under 42 U.S.C. § 1983. Plaintiff has also submitted a letter to the court with a portion of a signed in forma pauperis affidavit in which he indicates he has \$27,000 in an account, is able to pay the court filing fee, and requests the court to issue an order for the filing fee out of his trust account. (ECF No. 3.)

In order to properly commence an action such as this one, a plaintiff must either pay both the \$350.00 filing fee and the \$55.00 administrative fee for a civil action or file an application requesting leave to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a), 1915(a). As plaintiff has indicated he is able to pay the court costs, he is not entitled to in forma pauperis status in this case, and therefore must pay the court costs. It is plaintiff's responsibility to do so in order to properly commence this action.

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1 Plaintiff will therefore be granted twenty-one days in which to submit the court costs to
2 the Clerk of the Court. Plaintiff is cautioned that failure to pay the appropriate fees will result in
3 a recommendation that the instant action be dismissed without prejudice.

4 Accordingly, IT IS HEREBY ORDERED as follows:

- 5 1. Plaintiff's request submitted with a partially filled out form for a request to proceed in
6 forma pauperis (ECF No. 3) is DENIED.
- 7 2. Within twenty-one days from the date of this order, plaintiff shall submit the
8 appropriate filing fee and administrative fee totaling \$405.

9 Dated: April 11, 2025



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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